

HANNAH LEE (State Bar No. 253197)
KRAMER LEVIN NAFTALIS & FRANKEL
LLP
990 Marsh Road
Menlo Park, CA 94025
Telephone: (650) 752-1700
Facsimile: (650) 752-1800
Email: hlee@kramerlevin.com

TODD A. ROBERTS (State Bar No. 129722)
MARTIN D. DIOLI (State Bar No. 172775)
ROPER MAJESKI PC
535 Middlefield Road, Suite 245
Menlo Park, CA 94025
Telephone: (650) 364-8200
Facsimile: (650) 780-1701
Email: todd.roberts@ropers.com
martin.dioli@ropers.com

Attorneys for Defendants

CENTRIPETAL NETWORKS, INC.,
STEVEN ROGERS, AND
JONATHAN ROGERS

MARC R. LEWIS (State Bar No. 233306)
KENNETH M. WALCZAK (State Bar No. 247389)
LEWIS & LLEWELLYN LLP
601 Montgomery Street, Suite 2000
San Francisco, CA 94111
Tel.: (415) 800-0590
Fax: (415) 390-2127
Email: kwalczak@lewisllewellyn.com
mlewis@lewisllewellyn.com

Attorneys for Plaintiff

ALBERT RICHARDS

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ALBERT RICHARDS,

Plaintiff,

v.

CENTRIPETAL NETWORKS, INC.; STEVEN
ROGERS; JONATHAN ROGERS; and JOHN
DOES 1-10,

Defendants.

Case No.: 4:23-cv-00145-HSG

**STIPULATION AND ORDER TO EXTEND
TIME TO OPPOSE AND REPLY TO
DEFENDANTS' MOTION TO DISMISS**

Civil L.R. 6-1(b), 6-2, 7-12

Pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12, Plaintiff Albert Richards (“Plaintiff”) and Defendants Centripetal Networks, Inc., Steven Rogers and Jonathan Rogers (collectively, “Defendants”) stipulate as follows:

Defendants filed a Motion to Dismiss Plaintiff’s Complaint on January 23, 2023 (Docket No. 15). Defendants noticed the motion for hearing on March 3, 2023. *Id.*

Under the Federal Rules of Civil Procedure, Plaintiff’s Opposition to that Motion would ordinarily be due on February 6, 2023, and Defendants’ Reply would be due on February 13, 2023. Fed. R. Civ. P. 6; Civ. L.R. 7-3(a), 7-3(c). (The Federal Rules customarily give the Court one week to review a fully-briefed motion prior to hearing.)

However, on January 25, 2023, due to reassignment from a Magistrate Judge to a District Judge, Defendants re-noticed the Motion to Dismiss for hearing on **April 27, 2023**, and submitted an Amended Motion bearing that hearing date on the caption. (Docket No. 20.) The Court followed suit, setting the motion hearing for Defendants’ chosen date. (Text-only docket entry, 1/25/23.)

As a result, there are now 76 days (nearly 11 weeks) between the hearing and the date on which the motion will be fully briefed. The parties have met and conferred, and agreed that the Opposition and Reply deadlines can be extended, while also providing the Court more than the customary seven days before hearing to consider the fully-briefed motion.

The parties have therefore agreed that:

- Plaintiff may file his Opposition to Motion to Dismiss no later than **March 9, 2023**;
- Defendants may file their Reply in Support of Motion to Dismiss no later than **April 6, 2023**.

The parties do not request any modification to the April 27, 2023 hearing date, and the proposed extensions will not alter the date of any event or deadline already fixed by Court order.

There has been one previous time modification in this case, extending the time to respond to the Complaint and Defendants’ Administrative Motion to Seal. (Docket No. 12, filed 1/31/23.)

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IT IS SO STIPULATED.

Dated: February 1, 2023

LEWIS & LLEWELLYN LLP

By: *s/ Kenneth M. Walczak*

Marc R. Lewis
Kenneth M. Walczak

Attorneys for Plaintiff
ALBERT RICHARDS

Dated: February 1, 2023

KRAMER LEVIN NAFTALIS & FRANKEL LLP

By: *s/ Hannah Lee*

Hannah Lee

ROPER MAJESKI PC

Todd A. Roberts
Martin D. Dioli

Attorneys for Defendants
CENTRIPETAL NETWORKS, INC., JONATHAN
ROGERS, AND STEVEN ROGERS

ORDER

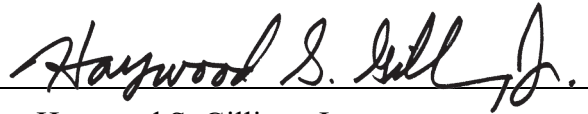
Having reviewed the parties' stipulation, and good cause appearing therefor, the Court orders as follows:

- Plaintiff may file an Opposition brief to Defendants' Motion to Dismiss no later than **March 9, 2023**;
- Defendants may file their Reply in Support of Motion to Dismiss, if any, no later than **April 6, 2023**.

The hearing on Defendants' Motion to Dismiss remains set for April 27, 2023, at 2:00 pm.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 2/2/2023



Hon. Haywood S. Gilliam, Jr.
JUDGE, UNITED STATES DISTRICT COURT